

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE**

United States of America

v.

Criminal No. 05-cr-135-01-PB

Arjusz Eric Roszkowski

ORDER OF DETENTION

Defendant originally stipulated to detention without prejudice. He has since pled guilty and is due to be sentenced in February. Under 18 U.S.C. § 3143(a)(2)(B) detention is mandatory unless I can find by clear and convincing evidence that he is not likely to flee or pose a danger to the community. The proffer of third party custody and a real estate bond is insufficient to meet defendant's burden. He has pled guilty to armed bank robbery and has been convicted of robbery and burglary. He is detained until sentencing.

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On

order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

SO ORDERED.



James R. Muirhead
United States Magistrate Judge

Date: November 29, 2005

cc: Mark Howard, Esq.
Jeffrey Levin, Esq.
U.S. Marshal
U.S. Probation